

**IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TENNESSEE EASTERN DIVISION**

STATE OF TENNESSEE, by and
through the Tennessee General Assembly,
TENNESSEE GENERAL ASSEMBLY,
SENATOR JOHN STEVENS,
individually and in his official capacity
as Member of the Tennessee Senate for
the 24th Senatorial District, and
REPRESENTATIVE TERRI LYNN
WEAVER, individually and in her
official capacity as Member of the
Tennessee House of Representatives for
the 40th House District,

Plaintiffs,

v.

Case No. 1:17-cv-01040-JDB-egb

UNITED STATES DEPARTMENT
OF STATE, REX TILLERSON, in his
official capacity as United States
Secretary of State, BUREAU OF
POPULATION, REFUGEES, AND
MIGRATION, SIMON HENSHAW,
in his official capacity as Acting
Assistant Secretary of State for Population,
Refugees, and Migration, UNITED
STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES,
THOMAS E. PRICE, in his official
capacity as Secretary of Health
and Human Services, OFFICE
OF REFUGEE RESETTLEMENT,
KEN TOTA, in his official capacity
as Acting Director of the Office of
Refugee Resettlement,

Defendants.

**AFFIDAVIT OF SERVICE FOR SUMMONS COMPLAINT SERVED
ON KEN TOTA**

1. I, Francia S. Morello, make this declaration pursuant to 28 U.S.C. § 1746 and based on my personal knowledge.

2. I am an adult citizen of the State of Michigan and not a party in the above-captioned case. I am Office Manager/Paralegal for the Thomas More Law Center and have personal knowledge of the facts testified to in this sworn declaration.

3. I served a copy of the Summons and Complaint for **KEN TOTA**, in his official capacity as Acting Director of the Office of Refugee Resettlement, in the above-captioned case, as follows:

a. by sending a copy of each by certified mail, on March 16, 2017, pursuant to Rule 4(i) of the Federal Rules of Civil Procedure to by sending a copy of each by certified mail on March 16, 2017, pursuant to Rule 4(i) of the Federal Rules of Civil Procedure to Ken Tota, Office of Refugee Resettlement, 330 C Street SW, Washington, D.C. 20201. A true and accurate copy of the stamped Certified Mail receipt and U.S. Post Office delivery verification is attached hereto as Exhibit 1.

b. by sending a copy of each, on March 16, 2017, by certified mail pursuant to Rule 4(i) of the Federal Rules of Civil Procedure to the U.S. Attorney for the Western District of Tennessee, Civil Process Clerk, Office of the U.S. Attorney Edward L. Stanton III, 167 North Main Street, Suite 800, Memphis, TN 38103. A true and accurate copy of the stamped Certified Mail receipt and the signed Return Receipt is attached hereto as Exhibit 2.

c. by sending a copy of each, on March 16, 2017, by certified mail pursuant to Rule 4(i) of the Federal Rules of Civil Procedure to the Attorney General of the United States, U.S. Department of Justice, 950 Pennsylvania Avenue NW, Washington, D.C. 20530-0001. A true and accurate copy of the stamped Certified Mail Receipt and signed Return Receipt is

attached hereto as Exhibit 3.

I declare (or certify, verify, or state) under the penalties of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Executed on this 2nd day of May, 2017



Francia S. Morello
Thomas More Law Center
24 Frank Lloyd Wright Drive
P.O. Box 393
Ann Arbor, MI 48106

CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2017, a copy of the foregoing **AFFIDAVIT OF SERVICE FOR SUMMONS AND COMPLAINT SERVED ON KEN TOTA**, with attached certificate of service and accompanying exhibits, was filed electronically with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. I further certify that on May 2, 2017, a copy of the foregoing has been served by ordinary U.S. mail upon all parties for whom counsel has not yet entered an appearance electronically:

Civil Process Clerk
Office of the U.S. Attorney Edward L. Stanton III
167 North Main Street
Suite 800
Memphis, TN 38103

Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530-0001

United States Department of State
C/O The Executive Office,
Office of the Legal Adviser
Suite 5.600,
600 19th Street NW.
Washington DC 20522

Rex Tillerson
C/O The Executive Office,
Office of the Legal Adviser
Suite 5.600,
600 19th Street NW.
Washington DC 20522

Bureau of Population, Refugees & Migration
C/O The Executive Office,
Office of the Legal Adviser
Suite 5.600,
600 19th Street NW.
Washington DC 20522

Simon Henshaw
C/O The Executive Office,
Office of the Legal Adviser
Suite 5.600,
600 19th Street NW.
Washington DC 20522

U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

Thomas E. Price
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

Office of Refugee Resettlement
330 C Street SW
Washington, D.C. 20201

Ken Tota
Office of Refugee Resettlement
330 C Street SW
Washington, D.C. 20201

THOMAS MORE LAW CENTER

/s/Kate Oliveri
Kate Oliveri (MI Bar No. 79932)

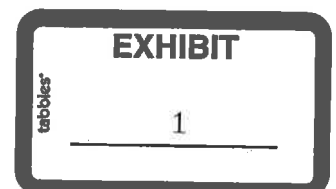
7012 2210 0002 2400 0689

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OFFICIAL USE	
Postage	\$ 1.61
Certified Fee	3.35
Return Receipt Fee (Endorsement Required)	2.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 7.71

STATION #4
 MAR 16 2017
 ANN ARBOR MI 48105
 USPS CONTRACT

Sent To	Ken Tota
Street, Apt. No., or PO Box No.	Office of Refugee Resettlement 330 C Street SW
City, State, ZIP+4	Washington, D.C. 20201

PS Form 3800, August 2006 See Reverse for Instructions



4/6/2017

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DATE & TIME	STATUS OF ITEM	LOCATION
March 20, 2017, 11:52 am	Delivered, To Mail Room	WASHINGTON, DC 20201
Your item has been delivered to the mail room at 11:52 am on March 20, 2017 in WASHINGTON, DC 20201.		
March 20, 2017, 7:46 am	Arrived at Unit	WASHINGTON, DC 20018
March 18, 2017, 8:00 am	In Transit to Destination	
March 17, 2017, 1:00 am	Departed USPS Origin Facility	PONTIAC, MI 48340

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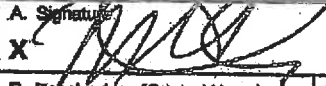
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CERTIFIED MAIL® RECEIPT	
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For delivery information, visit our website at usps.com	
Postage	\$ 8.65
Certified Fee	3.35
Return Receipt Fee (Endorsement Required)	2.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 14.75



Sent to	
Civil Process Clerk	
Street, Apt. No., or PO Box No.	Office of the U.S. Attorney Edward L. Stanton III
City, State, ZIP+4	167 North Main Street, Suite 800 Memphis, TN 38103


EXHIBIT

tabbles
2

SENDER: COMPLETE THIS SECTION		RECEIVED BY: COMPLETE THIS SECTION	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X </p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Civil Process Clerk Office of the U.S. Attorney Edward L. Stanton III 167 North Main Street, Suite 800 Memphis, TN 38103</p>		<p>B. Received by (Printed Name) Morgan Glass</p>	<p>C. Date of Delivery</p>
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. </p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>7012 2210 0002 2400 0896</p>	
<p>PS Form 3811, February 2004</p>		<p>Domestic Return Receipt 102595-02-00-1040</p>	

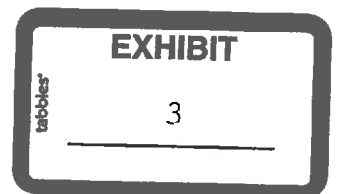
7012 2210 0002 2400 0902

U.S. Postal Service [™]	
CERTIFIED MAIL [™] RECEIPT	
(Domestic Mail Only. No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
Postage	\$ 8.65
Certified Fee	3.35
Return Receipt Fee (Endorsement Required)	2.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 14.75



Sent To	Attorney General of the United States
Street, Apt. No., or PO Box No.	U.S. Department of Justice 950 Pennsylvania Avenue NW
City, State, ZIP+4	Washington, D.C. 20530-0001

PS Form 3800, August 2009 See Reverse for Instructions



SENDER (COMPLETE THIS SECTION)		RECIPIENT (TURN AND FILL OUT THIS SECTION)	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <i>Emily Lane</i></p>	
<p>1. Article Addressed to:</p> <p>Attorney General of the United States U.S. Department of Justice 950 Pennsylvania Avenue NW Washington, D.C. 20530-0001</p>		<p>B. Received by (Printed Name) <input type="checkbox"/> Date of Delivery</p> <p>MAR 21 2017</p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>	
		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> O.D.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>7012 2210 0002 2400 0902</p>	
PS Form 3811, February 2004		Domestic Return Receipt 102595-02-M-1540	